



## MAINE STATE BOARD OF EDUCATION

23 State House Station  
AUGUSTA, MAINE 04333

### STATE OF MAINE

The State Board of Education held a regular monthly meeting on August 10, 2005, at Vinalhaven School, Vinalhaven, with the following members present: Chair James Carignan; Vice Chair Philip Dionne; Joyce McPhetres; Wes Bonney; Jack Norris; Ellie Multer; Janet Tockman; and Ann Weisleder. Excused: Jean Gulliver.

Also present were: Commissioner Susan Gendron; Scott Brown, AIA, School Construction; Judith Malcolm, Team Leader, Support Systems Team; Harry Osgood, Higher Education Specialist; and Rhonda Casey, Clerk.

### **CALLED TO ORDER:**

The meeting called to order at 1:00 p.m.

### **APPROVAL OF MINUTES:**

MOVED by Joyce McPhetres, seconded by Wes Bonney, and unanimously voted to approve the June 15 and July 13, 2005, minutes as written.

### **CONSENT AGENDA:**

RECEIPT OF THE REVIEW TEAM REPORT FOR COLLEGE OF THE ATLANTIC

APPROVAL OF THE PROGRAM REVIEW TEAM FOR BATES COLLEGE

MOVED by Janet Tockman, seconded by Joyce McPhetres, and unanimously voted by those present to approve the consent agenda.

### **REGULAR BUSINESS:**

MAJOR CAPITAL IMPROVEMENT PROGRAM; CONCEPT APPROVAL  
CONSIDERATION; MSAD #3, NEW PRE-K THROUGH 12 SCHOOL PROJECT.

Statement of Fact: The proposed MSAD #3 new Pre-K through 12 construction project is to be located in Thorndike, Maine. The District includes eleven communities covering 340 square miles. The new facility will house 1,100 students that include 67% of the district's enrollment. All of the district's middle and high school students plus a portion of the district's elementary

students will attend the school. The new school will replace the existing facility that is a very poorly constructed 40 plus year old building. It will be demolished as part of the project. The proposed project will replace approximately 12 portable units. It will solve district-wide overcrowding problems and will allow for additional upgraded programs throughout the system. This Concept Approval is being requested pursuant to M.R.S.A. Title 20-A, Section 15905(1).

#### Project Information:

Project: SAD #3, new Pre-K through 12 school

Superintendent: Dr. Dan Lee

Principals: Peter Weston, Elementary School

Osmond Crowley, Middle School

Lynda Letteney, High School

Architect: Rob Tillotson, Oak Point Associates

Superintendent Lee has provided the following project description statement:

Last month, in the same gymnasium, Mt. View High School graduated its 40<sup>th</sup> class since its opening in 1964. While, over the years, MSAD #3 has made numerous improvements in the current Mt. View Complex, the building is unable to meet the needs of today's students. Therefore, we propose to construct a new facility housing 67% of the district's students in three units; a pre-kindergarten through grade five elementary school, a grade six through grade eight middle school, and a grade nine through grade twelve high school; each sharing common spaces to minimize construction costs. Such an arrangement offers numerous advantages and possibilities.

For example, research supports a middle school curriculum that is relevant, challenging, integrative, and exploratory. A three-year middle school will finally provide the critical mass necessary to make a rich variety of offerings possible. Additionally, because sixth graders throughout the district will be reassigned to the new middle school, classrooms will become available in five outlying elementary schools for pre-kindergarten programs.

The New England Association of Schools and Colleges has placed Mt. View High School on warning status. The school desperately needs to update science laboratories, provide classrooms for the arts, upgrade athletic fields, improve school security, and update technology. If the district does not take steps to address these deficiencies soon, the high school may lose its accreditation.

In summary, our Board of Directors remains steadfast in the belief that new construction should be closely entwined with concepts embodied in Essential Programs and Services (EPS) – much in the same way EPS is tied to Maine's Learning Results. Without a doubt, a new Mt. View complex represents a significant investment in the future of our eleven communities. I cannot emphasize enough what this project means to the children of our district as it holds the promise of expanded educational possibilities and heightened aspirations for future generations.

#### Project Budget Information:

Estimated total Project Cost: \$39,809,525  
State/Local Cost: \$39,521,130  
Local Only Cost: \$168,395  
Anticipated Maine High Performance Schools Energy Grant: \$120,000

Commissioner Recommendation: The Commissioner recommends that the State Board grant Concept Approval to MSAD #3 for a new Pre-K through 12 school in MSAD #3 and approve the budget as presented.

MOVED by Ellie Multer, seconded by Jack Norris, and voted unanimous by those present to grant Concept Approval to MSAD #3 for the new Pre-K through 12 school in MSAD #3 and approve the budget as presented.

#### MAJOR CAPITAL IMPROVEMENT PROGRAM - SPECIAL PRIORITY LIST FOR RATING CYCLE 2004-2005 BASED ON THE CURRENT DEBT SERVICE LIMITS

Statement of Fact: The State Board of Education has received a Priority List that is needs-based and has been developed by the Department of Education and recommended by the Commissioner. The Priority List includes all the proposed construction projects rated during the 2004-2005 rating cycle. "...the Board may designate projects from that list to be placed on the Special Priority List of projects that the State Board intends to fund for a given rating cycle." "The number of designated projects on the Special Priority List will be determined by available funding. Should resources permit additional projects to be funded during the same rating cycle, the State Board may designate more projects from the Priority List in priority order. If resources do not allow all projects on the Special Priority List to be funded, unfunded projects will be placed at the top of the Priority List of the next rating cycle." (ref. State Board of Education Rules Chapter 61, Section 5).

Projects placed on the Special Priority List will receive school construction subsidy under 20-A MRSA §15901(1) subject to a successful local referendum, Design and Funding Approval by the Board, and Final Funding Approval by the Commissioner subject to available funding. Under current funding levels, school construction projects totaling no more than \$100 million in state-subsidizable costs may be given Concept Approval by the Board between now and the end of calendar year 2006. Through calendar year 2007, again under current funding levels, the Board may approve another \$100 million in state-subsidizable costs for school construction.

Projects placed on the Special Priority List, in addition to being approved for state subsidy under 20-A MRSA §15905(1), may be approved for interest-only interim local financing by the Board under 20-A MRSA §15905(7).

In the event a project placed on the Special Priority List fails to receive voter approval at local referenda, the project shall be removed from the Special Priority List.

Recommendations: It is recommended that the State Board of Education designate the following projects for placement on the Special Priority List for Concept Approval under 20-A MRSA

§15905(1) and State Board of Education Rules Chapter 61, Section 5. The proposed projects are in priority order.

1. Portland School Department
2. SAD #6 - Buxton
3. Peninsula CSD – Winter Harbor
4. Ellsworth School Department
5. SAD #54 – Norridgewock
6. Lewiston School Department
7. SAD #32 - Ashland
8. Brewer School Department
9. Westbrook School Department
10. Gorham School Department
11. Durham School Department
12. Machias School Department
13. Brunswick School Department

Based on the best estimates of project costs available at this time, it is further recommended that projects numbered one through six be eligible for Concept Approval between now and the end of calendar year 2006, and that projects numbered seven through thirteen be eligible for Concept Approval no later than the end of calendar year 2007.

Concept Approval by 12-31-06  
Debt Service Limit FY 08: \$100,000,000  
Funds Available \$100,000,000

1. Portland School Department
2. SAD #6 – Buxton
3. Peninsula CSD
4. Ellsworth School Department
5. SAD #54 – Norridgewock
6. Lewiston School Department

Concept Approval by 12-31-07  
Debt Service Limit FY 09: \$104,000,000  
Funds Available \$100,000,000

7. SAD #32 - Ashland
8. Brewer School Department
9. Westbrook School Department
10. Gorham School Department
11. Durham School Department
12. Machias School Department
13. Brunswick School Department

MOVED by Ellie Multer, seconded by Joyce McPhetres, and unanimously voted by those present to designate the following projects for placement on the Special Priority List for Concept Approval under 20-A MRSA §15905(1) and State Board of Education Rules Chapter 61, Section 5. The proposed projects are in priority order.

1. Portland School Department
2. SAD #6 - Buxton
3. Peninsula CSD – Winter Harbor
4. Ellsworth School Department
5. SAD #54 – Norridgewock
6. Lewiston School Department
7. SAD #32 - Ashland

8. Brewer School Department
9. Westbrook School Department
10. Gorham School Department
11. Durham School Department
12. Machias School Department
13. Brunswick School Department

Based on the best estimates of project costs available at this time, it is further recommended that projects numbered one through six be eligible for Concept Approval between now and the end of calendar year 2006, and that projects numbered seven through thirteen be eligible for Concept Approval no later than the end of calendar year 2007.

Concept Approval by 12-31-06  
Debt Service Limit FY '08: \$100,000,000  
Funds Available \$100,000,000

Concept Approval by 12-31-07  
Debt Service Limit FY 09: \$104,000,000  
Funds Available \$100,000,000

1. Portland School Department
2. SAD #6 – Buxton
3. Peninsula CSD
4. Ellsworth School Department
5. SAD #54 – Norridgewock
6. Lewiston School Department

7. SAD #32 - Ashland
8. Brewer School Department
9. Westbrook School Department
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#### CONSIDERATION OF THE INTERIM REPORT FROM THE SAINT JOSEPH'S COLLEGE TEACHER EDUCATION PROGRAM

Background: During its June 11, 2002, meeting the Board unanimously granted full five-year approval (Spring 2002 – Spring 2007) of the Saint Joseph's College Elementary Education, Physical Education, and Secondary Education (7-12) English/Language Arts, Mathematics, Life Science, Physical Science, and Social Studies programs. When doing so the Board also required Saint Joseph's College program administration to submit an interim progress report to the State Board of Education addressing the various program improvement recommendations contained within the review team's report. The required Interim Status Report has been received from Saint Joseph's College program administration and was distributed to the Board during the July 13, 2005, meeting. Dr. Michael Wilhelm, the 2002 team chair, reviewed the report. His letter supporting the following recommendation is available through the State Board of Education Office.

Recommendation: That the State Board of Education accepts the Saint Joseph's College interim status report. As there will be no change in program approval status with receipt of this report, no further Board action is called for.

MOVED by Joyce McPhetres, seconded by Ann Weisleder, and unanimously voted by those present to accept the Saint Joseph's College interim status report. It is further understood that no

change in program approval status occurred and with the receipt of the report no further Board action is necessary.

#### CONSIDERATION OF THE INTERIM REPORT FROM THE HUSSON COLLEGE TEACHER EDUCATION PROGRAM

Background: During its December 10, 2003, meeting the Board unanimously granted conditional approval (fall 2003 – fall 2005) for the Husson College teacher education program. When doing so, the Board also required the Husson program administration to submit an interim progress report to the State Board of Education addressing the two program standards found to be not met (Standard 1 – Initial Teacher Candidate Performance and Standard 2 – Assessment System and Unit Evaluation) as contained within the review team’s report. The required Interim Status Report from Husson program administration was distributed to the Board during the July 13 meeting. Dr. Michael Wilhelm, the 2003 team chair, reviewed the report. His letter supporting the following recommendation is available through the State Board of Education Office.

Recommendation: That the State Board of Education accept the Husson College interim report and extend the period of initial approval for the Husson College teacher preparation program to the fall of 2008.

MOVED by Phil Dionne, seconded by Wes Bonney, and unanimously voted by those presented to accept the Husson College interim report and extend the period of initial approval for the Husson College teacher preparation program to the fall of 2008.

#### RECEIPT OF THE REVIEW TEAM REPORT FOR THE UNIVERSITY OF MAINE AT FORT KENT TEACHER EDUCATION PROGRAM

Background: A program approval visit to the University of Maine at Fort Kent was conducted April 3 - 6, 2005, for the purpose of reviewing the following professional educator preparation programs:

- Elementary Education
- Secondary Education

Following the on-site visit, a report was prepared which includes findings, commendations, and program recommendations as well as a recommendation for State program approval status. This report was distributed to the Board during the July 13, 2005, meeting.

Recommendation: That the State Board of Education accept the report of the University of Maine at Fort Kent program approval visitation team which calls for conditional approval from spring 2005 to spring 2007 and that the unit develop and submit an interim report to the Commissioner of Education no later than February 15, 2007. The interim report should be limited to the unit’s responses to the team’s recommendations associated with Standards One – Initial Teacher Candidate Performance and Standard Two – Assessment System and Unit

Evaluation. Following review of the interim report a recommendation will then be made to the Board as to whether the unit's approval should be extended through spring 2010.

MOVED by Joyce McPhetres, seconded by Ann Weisleder, and unanimously voted by those present to accept the report of the University of Maine at Fort Kent program approval visitation team, which calls for conditional approval from spring 2005 to spring 2007 and that the unit develop and submit an interim report to the Commissioner of Education no later than February 15, 2007. The interim report should be limited to the unit's responses to the team's recommendations associated with Standards One – Initial Teacher Candidate Performance and Standard Two – Assessment System and Unit Evaluation. Following review of the interim report a recommendation will then be made to the Board as to whether the unit's approval should be extended through spring 2010.

CONSIDERATION OF THE PROGRAM REVIEW TEAM REPORT CONCERNING THE APPLICATION FOR DEGREE-GRANTING AUTHORIZATION AS SUBMITTED BY GRACE EVANGELICAL CENTER FOR UNDERGRADUATE STUDIES AND SEMINARY TO AWARD THE BACHELOR OF ARTS IN BIBLICAL STUDIES AND THE MASTER OF ARTS IN THEOLOGY DEGREES.

Background: 20-A MRSA, §10704 provides that any educational institution may confer certain degrees if it has been granted initial authority by an Act of the Legislature. Under Chapter 149 CMR, the Maine State Board of Education is required to make a recommendation for action on any initial degree authorization request to the Joint Standing Committee on Education and Cultural Affairs.

Officials of the Grace Evangelical Center for Undergraduate Studies and Seminary, located in Bangor, Maine, submitted an application seeking authority to confer the initial degrees of Bachelor of Arts in Biblical Studies and Master of Theology. The 122<sup>nd</sup> Legislature enacted legislation that exempts certain religious, nonpublic, postsecondary institutions from State requirements for degree-granting authority. This act was signed by the Governor on May 10, 2005, and becomes effective September 17, 2005; a copy is on file with the secretary at the State Board of Education Office. The applicant was advised that the Grace Evangelical Center could qualify as an exempt entity under this law but the applicant chose to proceed with a degree-granting program review, as the intent is to ultimately seek regional accreditation through NEASC. An on-site program review visit to the center was conducted May 4, 2005.

Recommendation: That the State Board of Education accept the review team's report and advance the Grace Evangelical Center's request for degree-granting authority to award the Bachelor of Arts in Biblical Studies to the Joint Standing Committee on Education and Cultural Affairs for Committee consideration and subsequent action.

MOVED by Ellie Multer, seconded by Wes Bonney, and voted seven in favor, with one against to table the agenda item until the October 12, 2005, Board meeting.

## PROVISIONAL ADOPTION OF EMERGENCY MAJOR SUBSTANTIVE RULE, CHAPTER 115

Background: Chapter 115, Certification, Authorization, and Approval of Education Personnel, a Major Substantive rule of the State Board of Education and the Department of Education underwent Legislative review and approval during the first regular session of the 122<sup>nd</sup> Maine Legislature and has been adopted by the State Board of Education on June 15, 2005, with an August 1, 2005, effective date for administration of the rule.

The Maine State Legislature has enacted L.D. 1656, Chapter 96, Resolve, To Retain Maine's Theater Arts and Dance Teachers. This legislation directs the State Board of Education to amend Chapter 115 in order to permit certification of persons who are teaching theater arts or dance in the State, as of October 1, 2005, and who hold valid certificates to teach in the State and have taught theater arts or dance for a minimum of two years in an accredited public or private school in the State. This amendment exempts such applicants for teacher of theater arts and teacher of dance certification from the newly adopted certification requirements noted above.

Chapter 115, Part II, Requirements for Specific Certificates and Endorsements, Section 1, Teachers and Educational Specialists: General Certificates and Endorsements, Sub-Section 1.7 Endorsement: Kindergarten through Grade 12 Teacher has been amended in response to this legislation by creating a new section of the rule that is specific to the cohort of theater arts and dance teachers noted above. The current rule and the proposed amendment to the rule are available through the State Board of Education Office.

In the judgment of the Legislature, the need for this rule constitutes an emergency within the meaning of the Constitution of Maine. Therefore, the amended rule is being presented to the Board as an emergency rule for immediate provisional adoption. The rule is effective for administration upon adoption. As a major substantive rule, this provisionally adopted rule also requires review and approval by the Legislature during the second regular session of the 122<sup>nd</sup> Legislature.

Recommendation: It is recommended that the State Board of Education provisionally adopt Chapter 115, Part II, Requirements for Specific Certificates and Endorsements, Section 1, Teachers and Educational Specialists: General Certificates and Endorsements, Sub-Section 1.7, an emergency, major substantive rule.

MOVED by Joyce McPhetres, seconded by Janet Tockman, and unanimously voted by those present to provisionally adopt Chapter 115, Part II, Requirements for Specific Certificates and Endorsements, Section 1, Teachers and Educational Specialists: General Certificates and Endorsements, Sub-Section 1.7, an emergency, major substantive rule.

### **PUBLIC COMMENT:**

Beth Turner, resident from the district of MSAD #31, provided the Board with a copy of a report titled, *Re: MSAD #31 Building Project*, which provided data and other information about MSAD



#31. The Board was asked to review the report at its leisure and if members had questions to contact her directly.

### **COMMISSIONER'S REPORT:**

Commissioner Gendron reported on the following:

- That she had made a request to Governor Baldacci on behalf of the Board. Since Governor Baldacci has been in office, he and the Board have not had any opportunity to meet and discussion educational issues. The Governor agrees and has set aside an hour on August 24, from 10:00 – 11:00 a.m. to meet.
- That beginning 2005-2006 the SAT Reasoning Test will replace the MEA assessment for all 11<sup>th</sup> grade students.
- That staff in the Department of Education will be visiting every school district in Maine starting this fall and report its findings on the status of the implementation of the system of Learning Results and Local Assessment Systems to the Joint Standing Committee on Education and Cultural Affairs in February 2006. As part of this work, Department staff has designed a site review process to use with select pilot sites this fall with the actual full-scale review process beginning in October 2005.
- That several articles have been published which involve Maine's dropout rates and how this is calculated. Information can be found in the *Maine Kids Count 2005 Data Book*.
- That the National Governor's Association published a report, *Graduation Counts, A report of the National Governors Association Task Force on State High School Graduation Data*.

### **ADJOURNMENT:**

State Board of Education unanimously agreed to adjourn the August 10, 2005, meeting at 4:15 p.m.